

controlled airspace for aircraft executing the SIAP at Atlantic Municipal Airport.

**DATES:** Comments must be received on or before January 15, 1996.

**ADDRESSES:** Send comments on the proposal in triplicate to: Manager, Air Traffic Operations Branch, ACE-530, Federal Aviation Administration, Docket No. 95-ACE-14, 601 East 12th Street, Kansas City, MO. 64106

The official docket may be examined in the Office of the Assistant Chief Counsel for the Central Region at the same address between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays.

An informal docket may also be examined during normal business hours in the office of the Manager, Air Traffic Operations Branch, Air Traffic Division, at the address listed above.

**FOR FURTHER INFORMATION CONTACT:** Kathy Randolph, Air Traffic Division, Air Traffic Operations Branch, ACE-530c, Federal Aviation Administration, 601 East 12th Street, Kansas City, Missouri 64106; telephone number: (816) 426-3408.

#### **SUPPLEMENTARY INFORMATION:**

##### **Comments Invited**

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, economic, environmental, and energy-related aspects of the proposal. Communications should identify the airspace docket number and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Airspace Docket No. 95-ACE 14" The postcard will be date/time stamped and returned to the commenter. All communications received on or before the closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in light of comments received. All comments submitted will be available for examination in the Rules Docket both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned

with this rulemaking will be filed in the docket.

#### **Availability of NPRMs**

Any person may obtain a copy of this Notice of Proposed Rulemaking (NPRM) by submitting a request to the Federal Aviation Administration, Office of Public Affairs, Attention: Public Inquiry Center, APA-230, 800 Independence Avenue, SW, Washington, DC 20591, or by calling (202) 267-3484.

Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRMs should also request a copy of Advisory Circular No. 11-2A, which describes the procedures.

#### **The Proposal**

The FAA is considering an amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) to provide additional controlled airspace of a new SIAP based on the GPS at the Atlantic, IA, Municipal Airport. The additional airspace would segregate aircraft operating under VFR conditions from aircraft operating under IFR procedures. The area would be depicted on appropriate aeronautical charts thereby enabling pilots to circumnavigate the area or otherwise comply with IFR procedures. Class E airspace designations for airspace areas extending upward from 700 feet or more above the surface of the earth are published in paragraph 6005 of FAA Order 7400.9C, dated August 17, 1995, and effective September 16, 1995, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document would be published subsequently in the Order.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this proposed regulation—(1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a Regulatory Evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this proposed rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

#### **List of Subjects in 14 CFR Part 71**

Airspace, Incorporation by reference, Navigation (air).

#### **The Proposed Amendment**

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) as follows:

#### **PART 71—[AMENDED]**

1. The authority citation of part 71 continues to read as follows:

Authority: 49 U.S.C. 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389; 14 CFR 11.69.

#### **§ 71.1 [Amended]**

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9C, Airspace Designations and Reporting Points, dated August 17, 1995, and effective September 16, 1995, is amended as follows:

*Paragraph 6005 Class E airspace areas extending upward from 700 feet or more above the surface of the earth.*

\* \* \* \* \*

ACE IA E5 Atlantic, IA [Revised]

Atlantic Municipal Airport, IA  
(Lat. 41°24'26" N., long. 95°02'49" W)  
Atlantic NDB

(Lat. 41°24'26" N., long. 95°02'47" W)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of Atlantic Municipal Airport and within 4 miles each side of the 315° bearing from the Atlantic NDB extending from the 6.4-mile radius to 8.3 miles northwest of the airport.

\* \* \* \* \*

Issued in Kansas City, MO, on November 30, 1995.

Herman J. Lyons, Jr.,

Manager, Air Traffic Division, Central Region.

[FR Doc. 95-30920 Filed 12-19-95; 8:45 am]

BILLING CODE 4910-13-M

#### **14 CFR Part 71**

**[Airspace Docket No. 95-ANE-61]**

#### **Proposed Amendment to Class E airspace; Worcester, MA**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of Proposed Rulemaking.

**SUMMARY:** This notice proposes to establish Class E airspace at Worcester, MA (ORH). With the commissioning of the Automated Surface Observation System (ASOS) at the Worcester Municipal Airport, weather reporting is now continuously available at that

airport. This action is necessary to establish controlled airspace extending upward from the surface for aircraft operating under instrument flight rules (IFR) to and from the Worcester Municipal Airport during the times when the air traffic control tower is closed.

**DATES:** Comments must be received on or before January 19, 1996.

**ADDRESSES:** Send comments on the proposal in triplicate to: Manager, System Management Branch, ANE-530, Federal Aviation Administration, Docket No. 95-ANE-60, 12 New England Executive Park, Burlington, MA 01803-5299; telephone (617) 238-7530; fax (617) 238-7596.

The official docket file may be examined in the Office of the Assistant Chief Counsel, New England Region, ANE-7, Room 401, 12 New England Executive Park, Burlington, MA 01803-5299; telephone (617) 238-7040; fax (617) 238-7055.

An informal docket may also be examined during normal business hours in the Air Traffic Division, Room 408, by contacting the Manager, System Management Branch at the first address listed above.

**FOR FURTHER INFORMATION CONTACT:** Raymond Duda, System Management Branch, ANE-533, 12 New England Executive Park, Burlington, MA 01803-5299; telephone (617) 238-7533; fax (617) 238-7596.

**SUPPLEMENTARY INFORMATION:**  
Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, economic, environmental, and energy-related aspects of the proposal. Communications should identify the airspace docket number and be submitted in triplicate to the address listed first under **ADDRESSES** above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. 95-ANE-61." The postcard will be date/time stamped and returned to the commenter. All communications received on or before the closing date for comments will be considered before taking action on the proposed rule. The

proposal contained in this notice may be changed in light of comments received. All comments submitted will be available for examination in the Rules Docket both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

**Availability of NPRMs**

Any person may obtain a copy of this Notice of Proposed Rulemaking (NPRM) by submitting a request to the Federal Aviation Administration, Office of Public Affairs, Attention: Public Inquiry Center, APA-230.800 Independence Avenue, SW, Washington, DC 20591, or by calling (202) 267-3484.

Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should also request a copy of Advisory Circular No. 11-2A, which describes the application procedures.

**The Proposal**

The FAA is considering an amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) to establish a Class E surface area at the Worcester Municipal Airport, Worcester, MA (ORH). Since the air traffic control tower (ATCT) at Worcester does not operate continuously, aircraft operating under instrument flight rules (IFR) to and from Worcester would not have had the benefit of weather reports from the airport during the times when the tower is closed. The lack of continuous weather reporting also required that the controlled airspace for Worcester could not extend to the surface. Recently, however, an Automated Surface Observation System (ASOS) has been commissioned at Worcester, making weather reporting now available continuously. As result, this action is necessary to establish controlled airspace extending from the surface for those aircraft operating to and from Worcester under IFR during the times when the ATCT is closed. Class E airspace designations for airspace areas extending upward from the surface of the earth in the vicinity of airports are published in paragraph 6002 of FAA Order 7400.9C, dated August 17, 1995, and effective September 16, 1995, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document would be published subsequently in this Order.

The FAA has determined that these proposed regulations only involve an established body of technical

regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore these proposed regulations—(1) are not "significant regulatory actions" under Executive Order 12866; (2) are not "significant rules" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) do not warrant preparation of a Regulatory Evaluation as these routine matters will only affect air traffic procedures and air navigation, it is certified that these proposed rules will not have significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

**List of Subjects in 14 CFR Part 71**

Airspace, Incorporation by reference, Navigation (air).

**The Proposed Amendment**

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) as follows:

**PART 71—[Amended]**

1. The authority citation for part 71 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR 1959-1963 Comp., p. 389; 14 CFR 11.69.

**§ 71.1 [Amended]**

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9C, Airspace Designations and Reporting Points, dated August 17, 1994, and effective September 16, 1995, is amended as follows:

**Subpart E—Class E Airspace**

\* \* \* \* \*

*Paragraph 6002 Class E surface areas extending upward from the surface of the earth.*

\* \* \* \* \*

ANE MA E2 Worcester, MA [New]

Worcester Municipal Airport, MA  
(Lat. 42°16'02" N, long. 71°52'32" W)

That airspace extending upward from the surface within a 4.2-mile radius of Worcester Municipal Airport. This Class E airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective dates and times will thereafter be continuously published in the Airport/Facility Directory.

\* \* \* \* \*

Issued in Burlington, MA, on December 13, 1995.

John J. Boyce, Jr.,

Acting Manager, Air Traffic Division, New England Region.

[FR Doc. 95-30917 Filed 12-19-95; 8:45 am]

BILLING CODE 4910-13-M

## SECURITIES AND EXCHANGE COMMISSION

### 17 CFR Part 240

[Release No. 34-36580, International Series Release No. 900, File No. S7-34-95]

RIN 3235-AG68

#### Exemption of the Securities of the Federative Republic of Brazil, the Republic of Argentina, and the Republic of Venezuela Under the Securities Exchange Act of 1934 for Purposes of Trading Futures Contracts on Those Securities

**AGENCY:** Securities and Exchange Commission.

**ACTION:** Proposed rule amendment and solicitation of public comments.

**SUMMARY:** The Commission proposes for comment an amendment to Rule 3a12-8 ("Rule") that would designate debt obligations issued by the Federative Republic of Brazil ("Brazil"), the Republic of Argentina ("Argentina"), and the Republic of Venezuela ("Venezuela") (collectively the "Proposed Countries") as "exempted securities" for the purpose of marketing and trading of futures contracts on those securities in the United States. The amendment is intended to permit futures trading on the sovereign debt of the Proposed Countries. This change is not intended to have any substantive effect on the operation of the Rule.

**DATES:** Comments should be submitted by January 19, 1996.

**ADDRESSES:** All comments should be submitted in triplicate and addressed to Jonathan G. Katz, Secretary, Securities and Exchange Commission, 450 Fifth Street, N.W., Washington, D.C. 20549. All comments should refer to File No. S7-34-95, and will be available for public inspection and copying at the Commission's Public Reference Room, 450 Fifth Street, N.W., Washington, D.C.

**FOR FURTHER INFORMATION CONTACT:** James T. McHale, Attorney, Office of Market Supervision ("OMS"), Division of Market Regulation ("Division"), Securities and Exchange Commission (Mail Stop 5-1), 450 Fifth Street, N.W., Washington, D.C. 20549, at 202/942-0190.

## SUPPLEMENTARY INFORMATION:

### I. Introduction

Under the Commodity Exchange Act ("CEA"), it is unlawful to trade a futures contract on any individual security unless the security in question is an exempted security (other than a municipal security) under the Securities Act of 1933 ("Securities Act") or the Securities Exchange Act of 1934 ("Exchange Act"). Debt obligations of foreign governments are not exempted securities under either of these statutes. The Securities and Exchange Commission ("SEC" or "Commission"), however, has adopted Rule 3a12-8 under the Exchange Act to designate debt obligations issued by certain foreign governments as exempted securities under the Exchange Act solely for the purpose of marketing and trading futures contracts on those securities in the United States. As amended, the foreign governments currently designated in the Rule are Great Britain, Canada, Japan, Australia, France, New Zealand, Austria, Denmark, Finland, The Netherlands, Switzerland, Germany, the Republic of Ireland, Italy, Spain, and Mexico (the "Designated Foreign Governments"). As a result, futures contracts on the debt obligations of these countries may be sold in the United States, as long as the other terms of the Rule are satisfied.

The Commission today is soliciting comments on a proposal to amend Rule 3a12-8 (17 CFR 240.3a12-8) to add the debt obligations of Brazil, Argentina, and Venezuela to the list of Designated Foreign Government securities that are exempted by Rule 3a12-8. To qualify for the exemption, futures contracts on debt obligations of the Proposed Countries would have to meet all the other existing requirements of the Rule.

### II. Background

Rule 3a12-8 was adopted in 1984<sup>1</sup> pursuant to the exemptive authority in Section 3(a)(12) of the Exchange Act in order to provide a limited exception from the CEA's prohibition on futures overlying individual securities.<sup>2</sup> As

originally adopted, the Rule provided that the debt obligations of Great Britain and Canada would be deemed to be exempted securities, solely for the purpose of permitting the offer, sale, and confirmation of "qualifying foreign futures contracts" on such securities. The securities in question were not eligible for the exemption if they were registered under the Securities Act or were the subject of any American depositary receipt so registered. A futures contract on such a debt obligation is deemed under the Rule to be a "qualifying foreign futures contract" if the contract is deliverable outside the United States and is traded on a board of trade.<sup>3</sup>

The conditions imposed by the Rule were intended to facilitate the trading of futures contracts on foreign government securities in the United States while requiring offerings of foreign government securities to comply with the federal securities laws. Accordingly, the conditions set forth in the Rule were designed to ensure that, absent registration, a domestic market in unregistered foreign government securities would not develop, and that markets for futures on these instruments would not be used to avoid the securities law registration requirements. In particular, the Rule was intended to ensure that futures on exempted sovereign debt did not operate as a surrogate means of trading the unregistered debt.

Subsequently, the Commission amended the Rule to include the debt securities issued by Japan, Australia, France, New Zealand, Austria, Denmark, Finland, the Netherlands, Switzerland, Germany, Ireland, Italy, Spain, and, most recently, Mexico.<sup>4</sup>

September 23, 1982) (statements of Representatives Daschle and Wirth)).

<sup>3</sup> As originally adopted, the Rule required that the board of trade be located in the country that issued the underlying securities. This requirement was eliminated in 1987. See Securities Exchange Act Release No. 24209 (March 12, 1987), 52 FR 8875 (March 20, 1987).

<sup>4</sup> As originally adopted, the Rule applied only to British and Canadian government securities. See Original Adopting Release, *supra* note 1. In 1986, the Rule was amended to include Japanese government securities. See Securities Exchange Act Release No. 23423 (July 11, 1986), 51 FR 25996 (July 18, 1986). In 1987, the Rule was amended to include debt securities issued by Australia, France and New Zealand. See Securities Exchange Act Release No. 25072 (October 29, 1987), 52 FR 42277 (November 4, 1987). In 1988, the Rule was amended to include debt securities issued by Austria, Denmark, Finland, the Netherlands, Switzerland, and West Germany. See Securities Exchange Act Release No. 26217 (October 26, 1988), 53 FR 43860 (October 31, 1988). In 1992 the Rule was again amended to (1) include debt securities offered by the Republic of Ireland and Italy, (2) change the country designation of "West Germany" to the

Continued

<sup>1</sup> See Securities Exchange Act Release Nos. 20708 ("Original Adopting Release") (March 2, 1984), 49 FR 8595 (March 8, 1984) and 19811 ("Original Proposing Release") (May 25, 1983), 48 FR 24725 (June 2, 1983).

<sup>2</sup> In approving the Futures Trading Act of 1982, Congress expressed its understanding that neither the SEC nor the Commodity Futures Trading Commission ("CFTC") had intended to bar the sale of futures on debt obligations of the United Kingdom of Great Britain and Northern Ireland to U.S. persons, and its expectation that administrative action would be taken to allow the sale of such futures contracts in the United States. See Original Proposing Release, *supra* note 1, 48 FR at 24725 (citing 128 Cong. Rec. H7492 (daily ed.